G. R. S. 581

Previous references.

Lrs 70-20 ols 2, 4-1
311-21 ols 1-5
153-23 ols 1-2

Later references.

US 293-27-1.

1924-25
Courts.

File No. 155-24
Serial Nos. 1-4.

Previous

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Four

Part B for Feb-25

SUBJECT.

Change of jurisdiction of the Special 1st Class Magistrates Court at ~~Kolar~~ Kolar

The Computer Mysore Govt.

No. P 4651 Dt 28 2 25

Notifies the Above.

Kol 18/3/25

B Jagannadha Rao
27-3-25

B170.

2004

G. R. S. 11] 1924-5

GENERAL AND REVENUE SECRETARIAT.

(C5)

NOTES.

File No. 155-24

FILE HEADING.

Lehaange of jurisdiction of the Special First class magistrate's court at Kolar

From

The D. M. Kolar

No. 132 Dated 6. 11. 24 Received 6. 11. 24

Diary No. 2004	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Recommends that the jurisdiction over Second and Third class cases of Kolar Taluk may be transferred to the Special Second class magistrate Kolar

NOTES AND ORDERS.

Submitted with a draft. The Special First class magistrate Kolar now exercises jurisdiction over the Second and Third class cases arising in the taluk of Kolar. This jurisdiction is proposed to be transferred to the Special Second class magistrate Kolar

11.11.24

Mr. No P 2058/C5 - 21-22-24 5.12.24 (Flag IV).

NOTES—First Sheet.

Serial No.

(2) Seeing the heavy file in the ~~2nd class~~ 1st Grade magistrate's court at Kollam and the light work in the 3rd ~~class~~ Grade magistrate's court at Kollam, the 2nd ~~class~~ Grade Kollam magistrate transferred jurisdiction in 2nd ~~class~~ 3rd class cases from of the Kollam Taluk from the ~~2nd class~~ 1st Grade magistrate's court to the 3rd Grade magistrate's court.

(3) This may perhaps be done-

LH Secy 48/11

1st member 20/11

(4) Why not consult the Chief Court regarding the jurisdiction. Need not be done unless the Chief Court

Law 24/11

24.11

24-11

4105/20/XI

C5 21/11

Subordinate Service

5/12 As the Dewan is the immediate administrative head of the ~~Magistrates'~~ Courts in the Dt. it seems that he has got power

NOTE—Contn. Sheet

Serial No.

to recommend to Govt, any changes that is necessary. There is no express order except in the case of recommendations for investiture of powers that all communications should be sent to Govt through Chief Court. As this is an important matter, perhaps this might have been sent through the Chief Court. Recd with a draft cancelling the Chief Court with a memo to Secretary.

25/4/24.

There is no rule or order requiring that the Dr Magts should send up their proposals re jurisdiction of Magistrates' Courts through the Chief Court. Sec 12 of the Code of Criminal Procedure Code enables the Govt, on the D Magts subject to the control of Govt, to define the local areas of Magistrates.

The files put up show that the Chief Court are being consulted in regard to proposals for alteration of jurisdiction of Courts.

Recd with a draft calling for the opinion of the Chief Court on the DMs proposal

There is no provision in the Cr. Pro. Code under which Govt. should submit proposals through

NOTE—Contn. Sheet

Serial No.

the Chief Court.

1) Under Section 12 (1) the Govt may define local areas

11) Under Sec 17 (1) the Dist Magn may make rules or give orders for distribution of work within his district.

18) Draft is however submitted for approval.

Sd/-
1st Dec

27/11

4619
5/12/11

Sd/-
3/12

Sd/-
4/12

The Chief Court may be consulted. Draft appd

Please see para 2 of the District Magistrate's letter. In the statement there is mention of Special and part Magistrate exercising jurisdiction who has been taking cognizance

Sd/-
31/12

Sd/-
29/12

Sd/-
30/12

Sd/-
30/12

Sd/-

By mistake perhaps Kotar has been added in the 2nd para. The jurisdiction over Kotar Tahsil is exercised by the Special First class magistrate. The D.M himself says in the penultimate sentence of the first para that the Special First class magistrate exercises first class

NOTE—Contn. Sheet

Vide flag N

Serial No.	
	jurisdiction over five talukas besides trying 2nd and 3rd class cases (not going before the Bench court) over the Kolar Taluk. May the Dept. issue
	31/1/25 Issue & resubmit Minute the order of Reservation in Kolar District.
	ISSUE & RESUBMIT.
	30/1 To the Regr. Chief Court.
2	No P. 3426 dt 9-1-25
	Forwards copy of letter from the Dist. Kolar re the change of jurisdiction of the 2nd First Class Magts Court at Kolar and request to forward the opinion of the Chief Court in the matter.
	Subs.
	The Separation scheme has been taken by the CS for putting into the representation of new Non-Secretariat for acting allowances which is now stated to be before the Financial Secretary. A copy of the order no P 10460-52 CS-21-22-7 dt 5-10-23 is put up. Resubmitted with reference to orders on 3-1-25 above
	16/1/25 This may be submitted after the receipt of the opinion of the Chief Court.
	16/1

Serial No.	
	From Resdr. Kolar Letter no D 1 Dis 196 dt 21.1.25 States that the proposal of the Dy Kolar is a desirable one and requests that it may be sanctioned with certain instructions to the Dy Kolar Issued with a draft BD 23/1/25 24/1 24/1 Draft may be approved (Mr Mumbai) 6123/29-1-25 492/20.2 23/2 4 To the Recompilation Mysore Gazette No P-4650 dt 28.2.25 Re modification of G.O. no P. 2058/Cb 21-22 dt 5.10.23 directs that the Spl II class Magte at Kolar will exercise jurisdiction over II and III class cases arising in the Kolar Taluk, the same having withdrawn from the Spl 1st class Magte Kolar with effect from 1.3.25 Memo no P-4651 dt 28.2.25 Forwards to Dy. Kolar with the request that copies of the kind may in future

NOTE—Contn. Sheet

Serial No.

be submitted through the Chief Court and that the only cases in which evidence has not been recorded by the 1st Class magistrate may be transferred to the II Class magistrate.

memo no P. 4652 dt 28.2.25

Forwards copy petition to Regr. Ch. Court.

21302 LEGISLATIVE SECRETARIAT III No. 1924 6 NOV Encls. PROTECTION BRANCH

Immediate.

132

11-25

6 2004 P

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.

Dated Kolar, the 4th Nov. *1924*.

Cb 155 - 24 - 1.

P 6 NOV. 1924 CHIEF SECRETARY

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DISTRICT MAGISTRATE, KOLAR DISTRICT.

TO

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative Departments, Bangalore.

SIR,

It is now exactly a year since the introduction of the Scheme of Separation into this District as a result of which three special Courts were established - two in Kolar and one in Chikballapur, besides leaving unaffected the Special Magistrate's Court on the Kolar Gold Fields. The new Courts have, on the whole, been working satisfactorily. But experience has revealed that the file of the Special First Class Magistrate's Court at Kolar is showing a steady tendency to mount up, while that of the Special Second Class Magistrate's Court has appreciably declined - the pendency on the 1st November in the two Courts being 112 and 32 respectively. Personal factors have a great deal to do with quick despatch of judicial business - nevertheless, I am satisfied that the cases coming up for trial before the Special First Class Magistrate which include all committed cases of five taluks are long and complicated involving lengthy cross-examination and the production of numerous items of property. This Magistrate now exercises First Class jurisdiction over five taluks besides trying 2nd and 3rd Classes cases (not going before the Bench Court) over the Kolar Taluk. He also hears appeals from the decisions of the 2nd and 3rd Class Magistrates.

2. The Special Second Class Magistrate only tries the 2nd and 3rd Class cases not triable by a Bench Court arising in the taluks of Kolar, Malur, Mulbagal, Srinivaspur and Chintamani and his work is comparatively light. In order to ensure the speedy trial of criminal cases and equalise as far as possible, the work of the two Courts, I have the honor to recommend for the above reasons, the

the transfer of the Second Class jurisdiction over the Kolar Taluk to the Special Second ~~Grade~~ Class Magistrate, Kolar.

3. I request that you will be so good as to obtain the early sanction of Government to this proposal.

I have the honor to be,
S i r,
Your most obedient servant,

C Ramachandra Rao

Treasury Assistant Commissioner,
For District Magistrate,
Kolar District.

V.V.R.

G. R. S. VI–G-32] B50—WD 0527

SUBJECT _____

_____

_____

Diary No. of letter replied to _____

Section Ch

File No. 155–24

Serial No. 2

General and Revenue Secretariat

( )

, the *192*

No. 8428 One

Date of issue 9/1/25

Signed by M. [illegible]

To The Regr Chief Court

Sir

I am directed to forward herewith a copy of letter no je 132/24-5 dy 6-11-24 from the Dist. Kolar proposing that the jurisdiction over Licensed and Third class cases arising in Kolar Taluk excepting those referred to the Bench Court may be given to the Special Second class Court at Kolar after withdrawing the same from the Special First-class magistrate's Court there and to request you to kindly favour Govt with and forward the opinion of the Chief Court in the matter. The Dist Kolar is also directed to forward

over

ISSUE & RESUBMIT.

Recd 27/11

Recd 27/11

Regr Chief Court

such recommendations ~~has~~ in future through the brief case.

Thanks etc

Dr L Sing

memo

Copy to Dr. Kalra ~~for information~~

~~Brief Note~~ for information.

B. O

Dr L Sing

BS
25/11/24

31677

3202 1559

CR 155-24-3P

CHIEF COURT OF MYSORE

Telegraphic Address. "JUSTICE"

Bangalore, dated 21st January 1925

No. D. Dis: 196 of 24-25
Sne: one.

FROM

A. SREENIVASARAGAVACHARI, Esq., B.,A., B.L.,
Registrar, Chief Court of Mysore.

To

B. Nagappa, Esq., Bar.-at-Law,
Secretary to Government,
Local & Legislative Depts.,
BANGALORE.

SIR,

I am directed to acknowledge the receipt of your letter No. P.3428(1) Cts. 155-24-2 dated the 9th January 1925, forwarding -- copy of letter No.J.C.132 of 1924-25 dated the 4th November 1924 from the District Magistrate, Kolar, proposing that the Jurisdiction over the second and third class cases arising in the Kolar Taluk, excepting those referred to the Bench Court, may be given to the Special Second Class Magistrate, Kolar, after withdrawing the same from the Special First Class Magistrate's Court there -- and requesting to intimate the opinion of the Chief Court in the matter.

I am to state, in reply, that the Chief Court considers -- that the present distribution of territorial jurisdiction between the Special First and Second Class Magistrates at Kolar is not -- uniform with what is generally obtained in other separation districts of the State, that the proposal of the District Magistrate, Kolar, is a desirable one, and that the 2nd and 3rd class cases arising in the Kolar Taluk should be disposed of by the Special Second Class Magistrate, Kolar. The statistics relating to -- these courts compiled in this office (copy enclosed for ready -- reference) shows that the pendency in the Second Class Magistrate's court, is comparatively light and he can without dislocation of his

usual

usual work try the 2nd and 3rd class cases arising in -- Kolar Taluk. I am to add that in order to prevent - -- de-novo trials and the consequent delay in part heard -- cases, the District Magistrate may be instructed to transfer only recently filed cases in which evidence has not already been recorded by the First Class Magistrate.

Further, I am to bring to the notice of Government that the District Magistrate has made this reference -- direct to Government and not through the Chief Court and to request that the Government will be pleased to bring this irregular procedure to the notice of the District - Magistrate and to instruct him to make such references through the Chief Court in future.

I have the honour to be,

Sir,

Your most obedient servant,

Sheemisadagowdru 22/1/25

REGISTRAR.

TKV

13

Statistics relating to the Special First and Second Class Magistrates' Courts at Kolar for the 4 quarters from November 1923 (When the scheme was into the District).

Quarter.	1st Class Magistrate's Court			2nd Class Magistrate's Court		
	Filed	Disposed of	Pending	Filed	Disposed of	Pending
Ending December 1923	*88	23	65	*179	48	131
March 1924	68	56	77	64	104	91
June 1924	49	48	78	49	89	51
September 1924	70	60	88	38	61	28

*Received by transfer on 1-11-23 and filed in November and December 1923.

Chief Court of Mysore,
Bangalore,
21st January 1925.

Theerumalaiachar 22/1/25

REGISTRAR.

TKV.

14

G. R. S. 26]

cls File No. 155-24

Serial No. 4

*Diary No. of letter replied to*_____

General and Revenue Secretariat

( )

, the *191*

Date of issue 28/2/25

Signed by M-BN

Notification

P 4650

~~To~~

Under section 12 (1) of the Code of Criminal Procedure 1904 and in modification of notification no P 2058-cls 21-22-9 dt 5-10-23, the Govt of HH the maharaja are pleased to direct that the Special Second class magistrate at Kolar with exercise jurisdiction over Second and Third class cases arising in the Kolar Taluk, the same being withdrawn from the Special First class

over.

SUBJECT.

Class magistrate Kolar. with

effect from 1st March 1925.

By order

S/ L. L Hay

To

The Compiler m-l for publication

memo

f 4657

Copy of the above is forwarded to

the Dist Kolar with reference to

his letter no jc 132 dt 4-11-24.

with the observation that ~~Such~~ Such

references may in future be

sent through the Chief Court.

In order to prevent de novo

trials and consequent delay in the disposal

of cases, the 1st class magistrate at Kolar may be

instructed to proceed with the trial of the 2nd, 3rd class cases at Kolar in all cases, except

~~such cases in which evidence~~

has not been recorded ~~by~~

which

First class magistrate may be

transferred to the file of the second

class magistrate

B. O

f 4657 18/24/11

Dist Hay

Copy to Reg Chief Court together with memo to the Dist

18/24/11

List of enclosures,

Copied by JC 23/2

Examined by

GPB—25,000—4-3-13

No. J.C. 132
Encs.

36614

L. & P.W. SECTT.
P
Dr. ....
3. MAR. 1925
G. D. SECTION.

OFFICE OF THE DISTRICT MAGISTRATE,
KOLAR DISTRICT.

Dated Kolar, the 28th February *19*25

FROM

S. HIRIANNAIYA, ESQ., M.A., B.L.,
DISTRICT MAGISTRATE, KOLAR DISTRICT.

To

B. Nagappa, Esq., Bar-at-Law,
Secretary to Government of Mysore,
Local & Legislative Departments, Bangalore.

Sir,

I have the honor to invite kind reference to my letter No:J.C.132/24-25 dated 4-11-24, re: the transfer of jurisdiction of all the 2nd and 3rd Class Cases arising out of Kolar Taluk to the Special IInd Class Magistrate, Kolar, and to request that very early orders of Government may kindly be obtained and communicated, as the work in the Special First Class Court, Kolar, is becoming highly congested.

I have the honor to be,
S i r,
Your most obedient servant,

Treasury Assistant Commissioner,
For District Magistrate,
Kolar District.
(absent from station).

V.V.R. 5/3/25

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.